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In re Application of

RIQUELME MEDINA *et al*

U.S. Application No.: 10/526,875

PCT No.: PCT/US2003/027701

Int. Filing Date: 04 September 2003

Priority Date: 05 September 2005

Attorney Docket No.: R80.12-0001

For: METHOD AND APPARATUS FOR
TREATING EXHAUST FROM
COMBUSTION DEVICES

DECISION

This decision is in response to the papers filed with the United States Designated/Elected Office (DO/EO/US) on 24 October 2006.

BACKGROUND

On 15 December 2005, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that a declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee was required. A two-month time period for response was set with extensions of time available.

On 13 June 2006, applicant filed a response which included an executed declaration, the surcharge fee and a four-month extension and fee.

On 29 September 2006, a Notification of Defective Response (Form PCT/DO/EO/916) was mailed indicating that the declaration submitted was not in compliance with 37 CFR 1.497(a) and (b). Applicants were given one month to respond or any time remaining in the Form PCT/DO/EO/905 with extensions, whichever was longer.

On 24 October 2006, applicant submitted a 3-page supplemental declaration as a response to the Form PCT/DO/EO/916.

DISCUSSION

A review of the international publication (WO/2004/022203) shows that the two

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inventors are listed as:

Pedro Alejandro RIQUELME MEDINA and
Christian DONOSO AGUIRRE.

The original declaration filed 13 June 2006 was signed by Pedro RIQUELME and Christian DONOSO. Applicants included a supplemental declaration naming one inventor only, Pedro Alejandro RIQUELME MEDINA.

This declaration is defective in that the full name of the second inventor is not listed. See MPEP § 605.04(b). Moreover, the declaration contains conflicting information on the inventive entity as only one inventor is listed on the supplemental declaration.

In the response filed 24 October 2006, applicants submitted a 3-page supplemental declaration signed by Pedro Alejandro RIQUELME MEDINA. This supplemental declaration listed two inventors, Pedro Alejandro RIQUELME MEDINA and Christian DONOSO. The full name of the second inventor is still not listed. Moreover, the supplemental declaration is not executed by the second inventor.

Hence, the supplemental declaration filed 24 October 2006 is also defective.

DECISION

The above-captioned application is **ABANDONED** for failing to provide a declaration in compliance with 37 CFR 1.497(a) and (b) within the period for reply given in the Form PCT/DO/EO/905 mailed 15 December 2005.

If reconsideration on the merits of this decision is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision.

Applicants may wish to revive the above-captioned application pursuant to 37 CFR 1.137(b).

Any further correspondence with respect to this matter deposited with the USPS should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450.



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